

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAMONA MCCLINTOCK,

Plaintiff.

v.

UNITED STATES OF AMERICA;
CATHLEEN JENSEN and JOHN DOE
JENSEN,

Defendants.

CASE No. 3:19-cv-05835-BHS

STIPULATED MOTION FOR LIMITED
EXTENSION OF DISCOVERY DEADLINES
AND ORDER

NOTED FOR CONSIDERATION:
July 22, 2021

**STIPULATED MOTION FOR LIMITED EXTENSION OF DISCOVERY
DEADLINES**

Pursuant to Local Rules 10(g) and 16(b)(6), the parties hereby jointly stipulate and move the Court for an extension of the discovery deadlines.

A court may modify a schedule for good cause. Fed. R. Civ. P. 16(b)(4). Continuing pretrial and trial dates is within the discretion of the trial judge. *See King v. State of California*, 784 F.2d 910, 912 (9th Cir. 1986). The parties submit there is good cause for an extension of the deadlines. This case arises out of a motor vehicle collision that occurred on November 30, 2017. Plaintiff alleges she suffered injuries and damages as a result of the collision. Plaintiff also alleges

STIPULATED MOTION TO EXTEND DEADLINES
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that her implanted spinal neurostimulator was compromised as a result of the collision. The parties have been working to obtain records from Nevro Corp., the manufacturer of the neurostimulator. The parties believe it is critical that each party's expert(s) be given an opportunity to thoroughly and completely review these records in order to provide complete opinions prior to the discovery cutoff. Due to unforeseen circumstances and delays not the fault of any party or counsel, the parties continue to run into complications and delays in receiving the records, incomplete records, and hard to read copies.

Based on the foregoing, the parties agree to extend the current deadlines as follows:

	CURRENT DEADLINES	NEW DEADLINES
Disclosure of expert testimony under FRCP 26(a)(2)	August 6, 2021	September 7, 2021
Disclosure of rebuttal expert testimony under FRCP 26(a)(2)	September 6, 2021	October 7, 2021
Deadline for filing motions related to discovery. Any such motions shall be noted for consideration pursuant to LCR 7(d)(3)	September 24, 2021	October 26, 2021
Discovery completed by	September 30, 2021	November 1, 2021
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	October 8, 2021	November 9, 2021

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1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
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3 DATED: July 22, 2021

s/ Jonathan Lee

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Attorneys for Plaintiff

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9 DATED: July 22, 2021

s/ Heather C. Costanzo

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14
15 DATED: July 22, 2021

s/ Debra M. Akhbari

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Attorneys for Defendant Jensen

ORDER

Pursuant to the parties' forgoing stipulation to extend deadlines, **IT IS SO ORDERED.**

Dated this 23rd day of July, 2021.

A handwritten signature in black ink, appearing to read "Benjamin H. Settle", is written over a horizontal line.

BENJAMIN H. SETTLE
United States District Judge